



Board of Adjustment Case Report

City of Raleigh
Department of City Planning
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2626
www.raleighnc.gov

Case File: A-82-17

Property Address: 312 Bertie Drive

Property Owner: Red Shed Properties, LLC

Project Contact: Craig Kerins

Nature of Case: A request for a. a 10 rear setback variance pursuant to Section 2.2.1. of the Unified Development Ordinance to construct a detached house that results in a 20' rear setback on a .26 acre parcel zoned Residential-4 and located at 312 Bertie Drive.

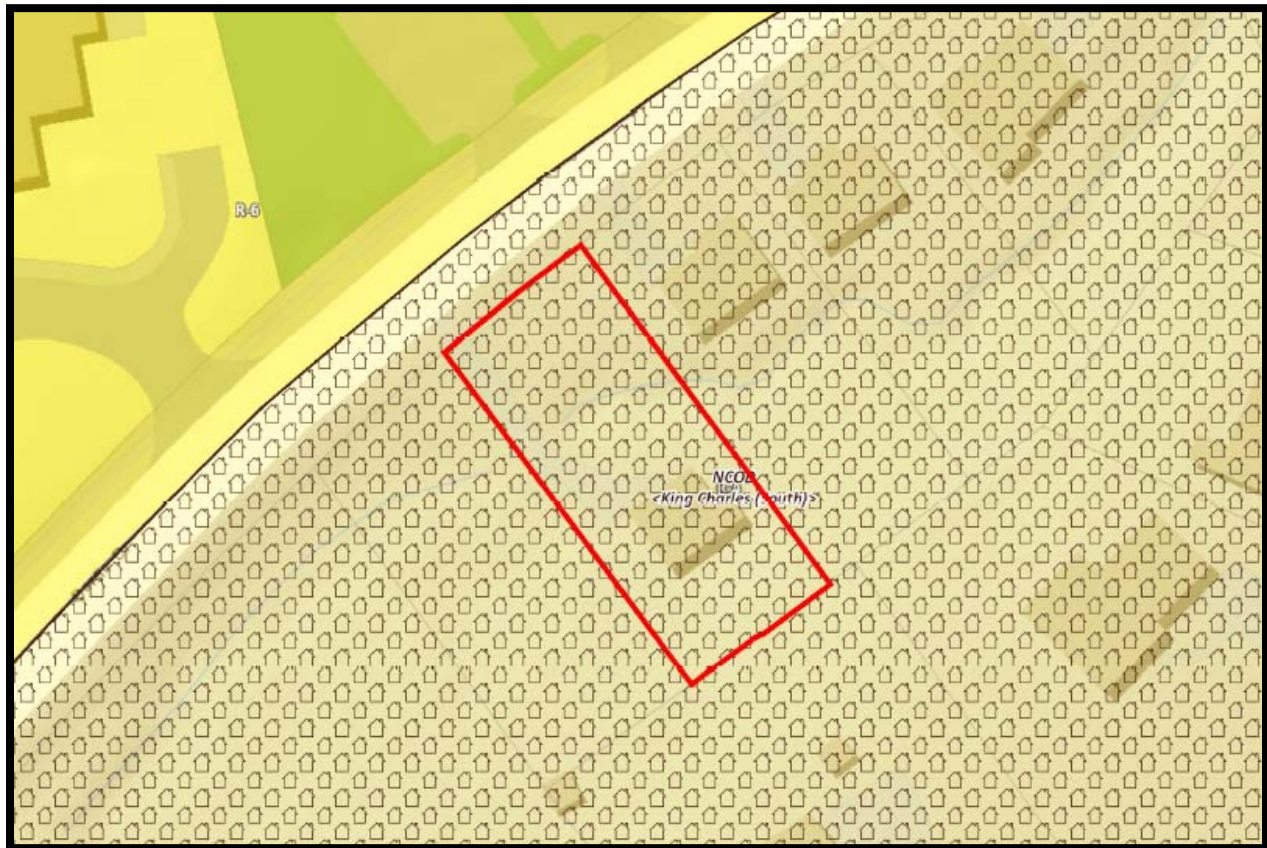


312 Bertie Drive – Location Map

To BOA: 6-12-17

Staff Coordinator: Eric S. Hodge, AICP

**ZONING
DISTRICTS:** Residential-4



312 Bertie Drive – Zoning Map

VARIANCE STANDARDS: In accordance with UDO [§10.2.10 Variance](#), before a variance request is granted, the Board of Adjustment shall show all of the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions

that are common to the neighborhood or the general public, may not be the basis for granting a variance.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

Zoning District Standards: The subject property is zoned Residential-4

Lot Dimensions

Area (min)	10,000 SF
Width – interior lot (min)	65
Width – corner lot (min)	80'
Depth -	100;'

Yard Type

Minimum Setback

Primary Street	20'
Side Street	15'
Side	10'
Sum of Sides	20'
Rear	30'

Application for Variance



RALEIGH
DEPARTMENT OF
CITY PLANNING

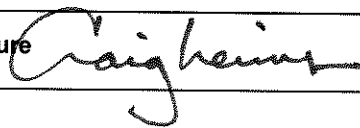
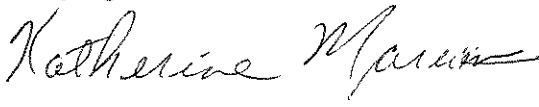


Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

Submit application to: Development Services Customer Service Center, 1 Exchange Plaza, Suite 400, Raleigh, NC 27601

NATURE OF REQUEST	OFFICE USE ONLY
Nature of variance request (if more space is needed, submit addendum on separate sheet): See separate sheet, attached.	Transaction Number A-82-17
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number.	

GENERAL INFORMATION

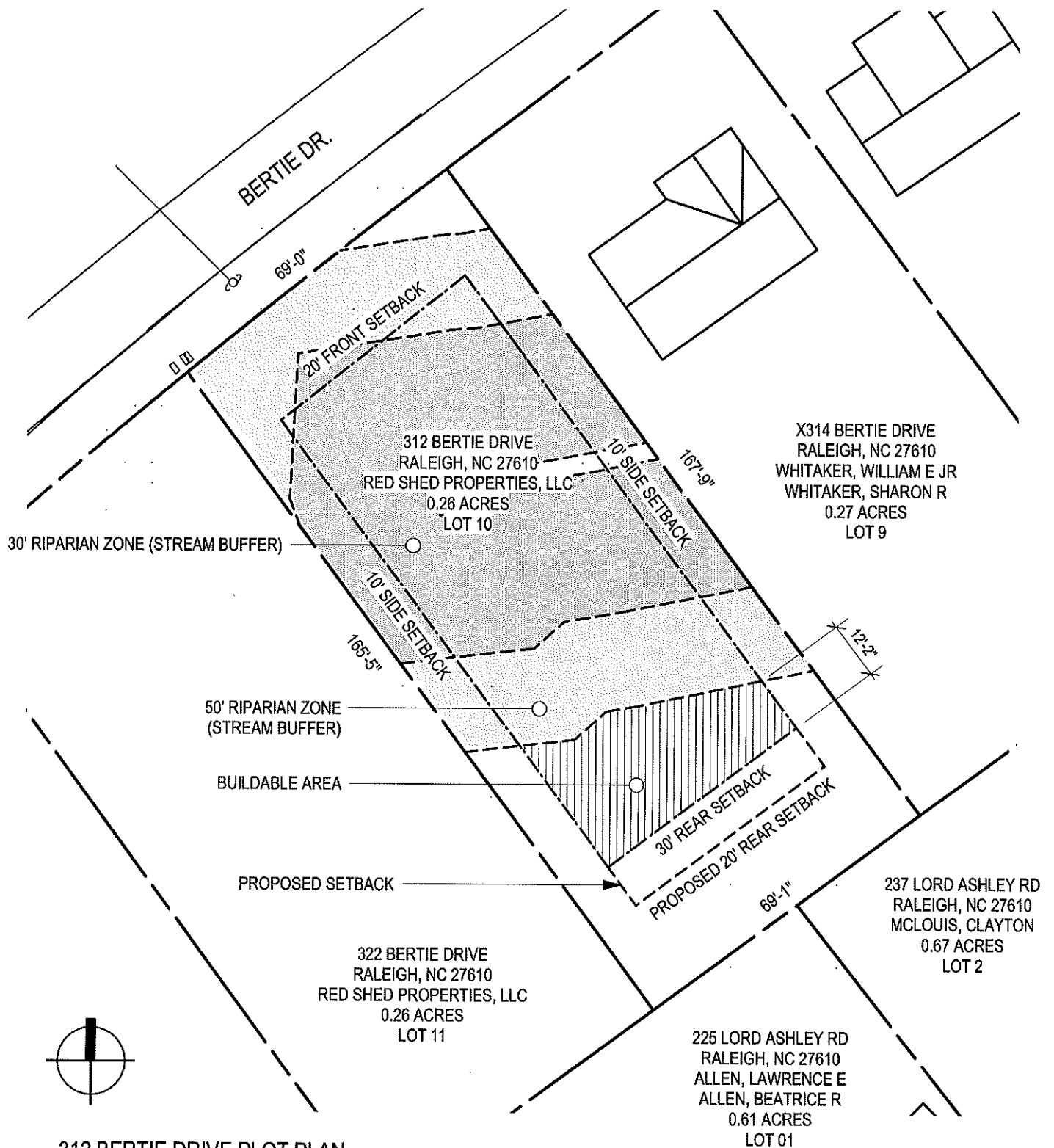
Property Address	312 Bertie Drive, Raleigh, NC, 27610		Date	May 12, 2017	
Property PIN	1714600814		Current Zoning	R-4	
Nearest Intersection	N. King Charles Rd. & Bertie Drive		Property size (in acres)	0.26 ACRES	
Property Owner	Red Shed Properties LLC		Phone	919-831-2955	Fax 919-831-2957
Owner's Mailing Address	502 S. West Street, Raleigh, NC 27601		Email	craig@raleigh-architecture.com	
Project Contact Person	Craig Kerins		Phone	919-831-2955	Fax 919-831-2957
Contact Person's Mailing Address	502 S. West Street, Raleigh, NC 27601		Email	craig@raleigh-architecture.com	
Property Owner Signature			Email	craig@raleigh-architecture.com	
Notary	Sworn and subscribed before me this <u>12</u> day of <u>May</u> , 20 <u>17</u>		Notary Signature and Seal	 <div style="border: 1px solid black; padding: 5px; text-align: center;">KATHERINE MARVIN Notary Public Wake Co., North Carolina My Commission Expires Oct. 15, 2020</div>	

Nature of Variance Request:

Red Shed Properties, LLC owns a lot at 312 Bertie Drive, zoned R-4. The existing front setback along the northeast property line is 20', with 10' side setbacks, and a 30' rear setback along the southeast property line. There is a stream buffer that runs directly through the middle of the site with a 50' riparian buffer on each side. The request for this variance is:

1. To decrease the existing rear setback from 30' to 20'. The combination of the 30' rear setback and the 50' riparian buffer renders the lot currently unbuildable for a single family detached house. The depth of the current buildable area is only 12' at its smallest point along the northeast property line with a total buildable area of only 1,098 square feet. By increasing the rear setback by 10', the buildable area would increase and the lot would be able to be developed as another single-family residence in keeping with the surrounding neighborhood. In previous years, there was an existing house already on the property (since demolished) that was sited inside of the stream buffer. That siting condition is no longer possible under the setback requirements imposed on the site.

It is the owner's opinion that unnecessary hardship and an un-developable lot exist under the current restrictions imposed on the site and request a decrease in the rear setback by 10'.



312 BERTIE DRIVE PLOT PLAN
05.12.17 VARIANCE REQUEST
SCALE 1" = 30'

1714600814
RED SHED PROPERTIES LLC
502 S WEST ST
RALEIGH NC 27601-2142

1714508524
SOLID ROCK MINISTRY INTERNATIONAL
INC
PO BOX 26535
RALEIGH NC 27611-6535

1714509850
RED SHED PROPERTIES LLC
502 S WEST ST
RALEIGH NC 27601-2142

1714516069
WAKE COUNTY BOARD OF EDUCATION
WAKE COUNTY BOARD O...
RE SERVICES DIRECTOR
1551 ROCK QUARRY RD
RALEIGH NC 27610-4145

1714600761
ALLEN, LAWRENCE E ALLEN, BEATRICE R
225 LORD ASHLEY RD
RALEIGH NC 27610-2440

1714600868
WHITAKER, WILLIAM E JR WHITAKER,
SHARON R
314 BERTIE DR
RALEIGH NC 27610-2250

1714601799
CLAYTON, MCLOUIS
237 LORD ASHLEY RD
RALEIGH NC 27610-2440

1714601912
MCGILL, SELLINA
316 BERTIE DR
RALEIGH NC 27610-2250

1714610267
RALEIGH CITY OF
PO BOX 590
RALEIGH NC 27602-0590